

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 IN RE VALVE ANTITRUST LITIGATION

11 CASE NO. C21-0563-JCC

12 ORDER

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15 On May 30, 2024, the Court granted in part and denied in part Defendant's motion to
16 seal. (*See* Dkt. No. 236.) At issue were proposed redactions to (1) Plaintiffs' motion for class
17 certification (Dkt. No. 225-1) and (2) an exhibit to a supporting declaration (Dkt. No. 225-3).
18 Included with the Court's order were two exhibits, Exhibit A and Exhibit B, (Dkt. Nos. 237, 237-
19 1), filed under seal, containing unredacted versions of the class certification motion and the
20 exhibit to the supporting declaration (at issue in Defendant's motion).

21 Pursuant to the Court's instructions, the Clerk of the Court distributed Exhibit A and
22 Exhibit B via e-mail to the parties. But the Court understands that the Clerk also inadvertently
23 distributed Exhibit A and Exhibit B via e-mail to Intervenors Jason Brooks, Robert Austin
24 McCuistion, and Apeirogon Games, along with Interested Parties Electronic Arts Inc, Nintendo
25 of America Inc, Microsoft Corporation, Epic Games Inc, and Humble Bundle Inc. Upon
26 realizing its error, the Clerk notified counsel for those non-parties that the distribution of this

1 unsealed material was inadvertent and directed them to disregard this information. The Court
2 expects counsel for those persons and entities to abide by their professional responsibilities with
3 respect to receipt of such information.

4 Nevertheless, in an abundance of caution, the Court affirmatively ORDERS those
5 persons and entities (through their counsel) to do the following, with respect to Exhibits A and B
6 (Dkt. Nos. 237, 237-1): (a) not distribute or use this information; (b) permanently delete / destroy
7 the documents and any reproductions thereof; (c) ensure any recipients of this information to do
8 the same; and (d) affirmatively certify to the Court no later than June 7, 2024, their compliance
9 with this order (including the compliance of any persons or entities who received the information
10 from an Intervenor or Interested Party).

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12 DATED this 31st day of May 2024.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE